



# CITY COUNCIL CANDIDATE HANDBOOK

## Candidate Qualifications & Filing Procedures for General Election – November 2018

City Manager's Office ♦ City Hall ♦ 1140 12th Avenue, Sweet Home,  
Oregon 97386 ♦ 541-367-8969 ♦ [www.ci.sweet-home.or.us](http://www.ci.sweet-home.or.us)



The City of Sweet Home reserves the right to change and/or add to the contents of this Candidates' Handbook as updated information and revised forms become available from the State of Oregon Elections Division.

It is the responsibility of the candidate to confirm deadlines with the elections official in advance of those deadlines. Some deadlines may be adjusted due to changes made by Legislature that were not available for this handbook at the time of printing.

This handbook is an effort to assist candidates with the election process and should not be used as legal advice.

For general information about running for public office go to the Oregon Secretary of State's website at <http://sos.oregon.gov/elections/Pages/runforoffice.aspx>



**City of Sweet Home**  
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To: All Prospective City Council Candidates

Congratulations on your decision to run for City office. This handbook should provide you with the information needed to file for nonpartisan City office for the November 2018 General Election.

There are four City of Sweet Home City Council terms expiring December 31, 2018 and all four positions are open to candidates interested and qualified to run for City Council.

Per City Charter and per ordinance, any qualified elector (registered voter) who has resided within the City at least one year immediately before the election, may be nominated for City Council. A vote will be held on November 6, 2018 and the three candidates with the highest number of votes will be elected to four year terms and the candidate receiving the fourth highest number of votes will be elected to a two year term. Each Councilor, before entering upon the duties of office, shall take an oath that he or she will support the constitution and laws of the United States, the State of Oregon, the Ordinances of the City of Sweet Home, and that he or she will faithfully perform the duties of office.

Materials included in this handbook:

- Roles & Responsibilities of Sweet Home City Council ~ City Charter & Municipal Code
- City of Sweet Home Oath of Office & Council Code of Conduct
- State of Oregon Filing Guidelines (including campaign finance reporting)
- State of Oregon Election Filing Forms: SEL 101 Candidate Filing – Major Political Party or Nonpartisan; SEL 121 Candidate Signature Sheet – Nonpartisan; SEL 220, 223, and PC 7 (campaign reporting forms filed electronically with the Secretary of State.)

SEL forms, as well as Campaign Contributions and Expenditures reporting forms, are also available online along with Candidate Election Manuals at:

<http://sos.oregon.gov/elections/Pages/laws-rules-publications.aspx>

Thank you for your interest in serving the community of Sweet Home and best of luck with your campaign.

Sincerely,

Ray Towry,



City Manager

# CITY OF SWEET HOME

## 2018 CITY COUNCIL CANDIDATE FILING INFORMATION SHEET

The following four City Council term expire 12/31/18:

Robert Briana  
Susan Coleman  
Diane Gerson  
Greg Mahler

**Filing Period Opens:** June 1, 2018 at 8:00 AM

**Filing Period Closes:** August 27, 2018 at 5:00 PM

**Election Date:** November 6, 2018

**Terms Begin:** January 7, 2019

**\*Term Lengths:** Per City Charter, Chapter II Section 3.

**Requirements for Filing:** Candidate must be a qualified elector (registered voter) of the City of Sweet Home and have at least one (1) year of City Residency (SHMC 2.04.120 and ORS 221.180, 249.002 -.056)

**Procedures for Filing:** To file for City Council, Candidates must do one of the following:

1. Complete a Declaration of Candidacy (SEL 101) form and pay a \$10.00 City filing fee. **NOTE: Filing in this manner requires both the form and payment to be turned into the City Manager's Office by 5:00 PM August 27, 2018.**
2. File by petition of verified signatures of at least 10 but no more than 20 registered electors of the City of Sweet Home (SHMC 2.04.120). **NOTE: Filing in this manner requires the Prospective Candidate to have the signatures on the petition verified by the Linn County Elections Officer prior to filing the petition with the City. Verification must be completed before 5:00 PM August 27, 2018.**

**Filing Location:** Sweet Home City Hall City Manager's Office  
1140 12<sup>th</sup> Avenue, Sweet Home, Oregon 97386

**Office Hours:** Monday – Friday 8:00 AM – 5:00 PM

# CITY OF SWEET HOME 2018 GENERAL ELECTION HANDBOOK

## CANDIDATE QUALIFICATIONS & INFORMATION

### I. OPEN CITY OF SWEET HOME COUNCIL POSITIONS

COUNCILOR .....Currently held by: Robert Briana  
COUNCILOR.....Currently held by: Susan Coleman  
COUNCILOR.....Currently held by: Diane Gerson  
COUNCILOR.....Currently held by: Greg Mahler (Mayor)

### II. TERMS & CONDITIONS

The General Election will be held November 6, 2018 and council candidates with the top three highest votes will receive four year terms beginning the first Monday of January 2019. The candidate with the fourth highest votes will receive a two year term. Council Elects are sworn in and sign the Council Oath and Code of Conduct prior to the first City Council meeting in January. Regular City Council meetings are held the second and fourth Tuesday of each month at 6:30 PM. Special City Council meetings, Council Work Sessions, and Council Committee meetings are also held throughout the year (dates and times vary).

Sweet Home City Councilors receive a Council stipend of \$75.00 per month to cover expenses such as mileage to meetings and meals when meetings are held during meal times. Due to IRS reporting requirements Council stipends are taxed based on the following IRS ruling:

**Government Officials as Employees:** Generally, any individual who serves as a public officer is an employee for the government for whom he or she serves. Therefore, the government entity is responsible for withholding and paying Federal income tax, social security and Medicare taxes, and issues a Form W-2, Wage and Tax Statement, to the public official.

### III. QUALIFICATIONS & RESIDENCY REQUIREMENTS

Qualifications include: 1) being a registered voter; 2) residing within the City of Sweet Home for at least one year at the time of filing. *See City Charter Chapter III, Section 8. Regulation of Elections and Chapter V. The Council.*

# CITY OF SWEET HOME 2018 GENERAL ELECTION HANDBOOK

## *FILING PROCEDURES*

### IV. FILING PROCEDURES

The following is intended to provide general information on the nomination procedures of the State of Oregon and City of Sweet Home. This information is NOT intended to provide legal advice for candidates, nor is it intended to cover all issues concerning local elections.

Please review the materials included in this packet. For further information or publications to assist with the filing process, please visit the Secretary of State's website at: <http://sos.oregon.gov/elections/Pages/laws-rules-publications.aspx>

### V. HOW TO FILE FOR ELECTIVE (PUBLIC) OFFICE

Members of the Sweet Home City Council are elected at Oregon's General Election.

City of Sweet Home candidates may file one of two ways with the City Elections Officer (City Manager) by either paying a fee, or by petition to obtain signatures.

- 1) **File By Fee:** A candidate will file Form SEL 101 Candidate Filing – Major Political Party or Nonpartisan; and pay a filing fee of \$10.00, **or**
- 2) **File By Petition:** If a candidate chooses this method, they must allow sufficient time to have signatures verified (by Linn County Elections) before the City's filing deadline. The following forms must be completed and filed with the City Manager's Office:

Form SEL 101 Candidate Filing – Major Political Party  
("Prospective Petition" must be marked): **and**

Form SEL 121 Candidate Signature Sheet – Nonpartisan  
signed by no less than 10 and no more than 20, electors of the City of Sweet Home (per City Charter). Each candidate shall have the signatures of the electors on his or her petition verified by the County Elections Officer, prior to filing the petition with the City Elections Officer (City Manager).

# **CITY OF SWEET HOME 2018 GENERAL ELECTION**

## ***FILING PERIOD AND REPORTING***

### **VI. FILING PERIOD**

The candidate filing period runs from 8:00 AM June 1, 2018 through 5:00 PM August 27, 2018. SHMC 2.04.12 A. states that petitions shall be filed not earlier than 100 days, or later than 64 days, before the election date. These dates have been set based on SHMC 2.04.12 A. and operating hours of the City Manager Office.

### **VII. CANDIDATE CAMPAIGN FINANCE REPORTING REQUIREMENTS**

Oregon law requires that campaign finance activities be filed electronically with the Oregon Secretary of State's Office (Elections Division) using the ORESTAR (Oregon Elections System for Tracking and Reporting) system (if the Candidate receives or spends \$750 or more). The secured online reporting system can be found online at ORESTAR along with the ORESTAR User's Manual and Campaign Finance Manual. <http://sos.oregon.gov/elections/Pages/orestar.aspx>

2018 Campaign Finance Manual

<http://sos.oregon.gov/elections/Documents/campaign-finance.pdf>

For ORESTAR assistance, call the Elections Division or email [orestar-support.sos@state.or.us](mailto:orestar-support.sos@state.or.us)

The State of Oregon requires candidates to file an SEL 220 and SEL 223 within three business days of first receiving a contribution or making an expenditure. The forms may be filed by paper forms if a computer is not available. However, contributions and expenditures must be reported electronically. If you do not have a computer the Sweet Home Library has computer terminals for public use.

### **VIII. STATEMENT OF ECONOMIC INTEREST (SEI) & STATE REPORTING REQUIREMENTS**

All elected officials are required to file SEI's with the Oregon Government Ethics Commission. The annual report must be filed by April 15<sup>th</sup> of each year of the incumbency. Information concerning sources of income, property, business interest, and gifts related to the office will be on the form. Civil penalties may be imposed for failure to file or for insufficient information.

# **CITY OF SWEET HOME 2018 GENERAL ELECTION**

## ***PUBLIC INFORMATION AND ELECTIONS CONTACTS***

### **IX. CANDIDATE INFORMATION PROVIDED TO THE PUBLIC**

At the time of publishing this handbook it is uncertain if Linn County will publish a Voter's Pamphlet and/or allow City Candidates to be included in that publication. Once we have information from Linn County Elections, candidates will be notified of details.

The City may create a page on our website and may provide copies of public record information such as a copy of the completed Candidate Filing SEL 101 form upon citizen request for information regarding candidates. The local newspaper will generally run an article about candidates and their opinions on City issues prior to the November Election and a link to that article may be placed on the City's website as well.

### **X. ELECTIONS OFFICES**

For more information about the election process or to have questions answers please refer to the contact information.

<b>City of Sweet Home</b>	<b>Linn County Elections</b>	<b>State of Oregon Elections Division</b>
City Manager's Office 541-367-8969 <a href="mailto:jfisher@ci.sweet-home.or.us">jfisher@ci.sweet-home.or.us</a> 1140 12 <sup>th</sup> Avenue Sweet Home, OR 97386 <a href="http://www.ci.sweet-home.or.us">www.ci.sweet-home.or.us</a>	Steve Druckenmiller, Co. Clerk 541-967-3831 <a href="mailto:sdruckenmiller@co.linn.or.us">sdruckenmiller@co.linn.or.us</a> 300 SW 4 <sup>th</sup> Ave., Rm. 205 Albany, OR 97386 <a href="http://www.co.linn.or.us/elections">http://www.co.linn.or.us/elections</a>	1-866-673-8683 <a href="mailto:elections.sos@state.or.us">elections.sos@state.or.us</a> 255 Capitol St., NE #501 Salem, OR 97310-1306 <a href="http://sos.oregon.gov/elections/Pages/default.aspx">http://sos.oregon.gov/elections/Pages/default.aspx</a>



**CITY OF SWEET HOME**  
**SWEET HOME, OREGON**  
**CHARTER**  
**REVISED AUGUST 2014**

**CHAPTER I. NAME, BOUNDARIES, POWERS AND GENERAL PROVISION**

**Section 1. Name and Boundaries.** The City of Sweet Home, Linn County, Oregon shall, upon the taking effect of this charter, continue to be a municipal corporation under the name of the City of Sweet Home.

The city includes all territory within its boundaries as they now exist or are legally modified. The city will maintain as a public record an accurate and current description of the boundaries.

**Section 2. Powers of the City.** Subject only to limitations provided in this charter, the city shall have all rights, powers, privileges and immunities now or hereafter granted either expressly or impliedly to municipalities by the constitution, statutes and common law of the state, as fully as though each of such rights, powers, privileges and immunities were specifically stated in this charter. The enumeration of or reference to particular rights, powers, privileges and immunities in this charter shall not be construed to be exclusive. This charter shall be liberally construed to the end that the city may have all necessary powers for the conduct of its municipal affairs, as contemplated by the municipal home rule provision of the constitution and laws of the state.

**CHAPTER II**  
**FORM OF GOVERNMENT**

**Section 3. Council and Mayor.** Except as otherwise provided in this charter, all powers of the city shall be vested in a council of seven members nominated and elected from the city at large. At each biennial general election, four councilors shall be elected. The three receiving the highest number of votes shall each hold office for four years, and the one receiving the number of votes next to the three highest shall hold office for two years. Tie votes shall be determined by lot. At its first meeting of the new term after each biennial general election, the council shall elect from its membership a chairperson who shall be mayor for a term of two years.

The mayor and councilors in office at the time of adoption of this charter shall continue in office until the expiration of their respective terms, with powers and duties as provided in this charter.

**Section 4. City Attorney, Manager and Municipal Judge.** The council shall appoint and keep in office a city attorney, city manager who shall also serve as the city recorder, and a municipal judge, who shall hold office subject to the discretion of the council and may be removed by the council with or without cause.

**Section 5. Other City Officers and Employees.** The city manager shall appoint a treasurer, a chief of police and such other officers and employees of the city as the council deems necessary, and may remove any of them at any time with or without cause. The council may by resolution require any officer to fill and perform the duties of two or more offices.

**Section 6. Salaries.** The council shall fix the compensation of all city officers and employees.

**Section 7. Bonds of Officers, Employees and Contractors.** If ordinances require, every person appointed to an office or place of public employment in the city or entering into a contract with the city shall give the city a bond for the faithful performance of his/her duties. Nothing in this section, however, shall detract from the effect of Section 20.

### **CHAPTER III. ELECTIONS**

**Section 8. Regulation of Elections.** Except as this charter provides otherwise and as the council provides otherwise by ordinance relating to elections, the general law of the state shall apply to the conduct of all city elections, recounts of the returns therefrom, and contest thereof. Any qualified elector who has resided in the city at least one year may be nominated for the council or for mayor.

**Section 9. Special Elections.** The council may by resolution or ordinance order a special election and provide the time, manner and means for holding it. At least 10 days notice shall be given of each special election.

**Section 10. Commencement of Terms of Office.** The term of office of each person elected to office at a regular city election shall commence on the first Monday of January following the election. In the case of an election to fill an existing vacancy in office, the person elected shall enter upon his/her office immediately.

**Section 11. Oath of Office.** Each officer, before entering upon the duties of his/her office, shall take an oath that he/she will support the constitution and laws of the United States and the state, and that he/she will faithfully perform the duties of his/her office.

### **CHAPTER IV VACANCIES**

**Section 12. Vacancies in Office Generally.** An office shall be deemed vacant upon the incumbent's death, insanity, conviction of a felony, resignation, removal from the city or absence from the city for a period of 30 days without the consent of the council in case of the mayor, manager, municipal judge or councilor, or without the consent of the manager in case of officers appointed by the manager; upon the incumbent's ceasing to possess the qualifications necessary for office; or upon the failure of the person elected or appointed to an office to qualify therefore on or before the day of his/her term of office commences; and in case of the mayor or a councilor, upon his/her absence from meetings of the council for 60 days without the consent of the council.

**Section 13. Manner in Which Vacancies Shall Be Filled.** Vacancies in office filled by election or by appointment by the council shall be filled by appointment by the council at any regular or special meeting, and the person so appointed shall serve the full unexpired term and until his/her successor is chosen and qualified. Vacancies in offices filled by appointment by the manager shall be filled by appointment by the manager. An officer appointed to fill a vacancy shall within 24 hours after his/her appointment qualify for office, and unless he/she does so, the office shall be considered vacant. During the temporary absence of any officer from the city for any cause his/her office may be filled temporarily in the manner provided for filling vacancies in office.

## **CHAPTER V**

### **THE COUNCIL**

**Section 14. Council Meetings.** The council shall provide for the time and place of its regular meetings and adopt rules and regulations for the government of its members and proceedings. It shall hold at least one regular meeting each month. Special meetings of the council may be called by the mayor, either upon his/her own motion or upon the request of at least three members of the council, and held at any time, upon verbal or written notice to all members of the council then in the city. Special meetings of the council may also be held by the common consent of all members of the council.

**Section 15. Quorum.** A majority of council members is a quorum to conduct business, but a smaller number may meet and adjourn from time to time to compel the attendance of absent members in the manner provided by ordinance. The council shall keep a journal of its proceeding, and on the call of two members shall the yeas and nays to be taken and entered in the journal upon any question before it except a motion to adjourn. The proceedings of the council shall be public.

**Section 16. Mayor's Duties at Council Meetings.** The Mayor shall be chairperson of the council and shall preside over its deliberations. He/she shall have authority to preserve order, enforce the rules of council and determine the order of business, subject to the rules of the council. He/she may vote as a councilor.

**Section 17. President Pro Tem.** At its first meeting in the new term after each biennial election, the council shall elect from its membership, a president pro tem for a term of two years. The president pro tem shall perform the duties of the mayor in the absence of the mayor.

**Section 18. Vote Required.** The concurrence of a majority of a quorum shall be required to determine any matter before the council except as provided otherwise in this charter.

## **CHAPTER VI**

### **POWERS AND DUTIES OF THE CITY OFFICERS**

**Section 19. Mayor.** The mayor shall appoint the various committees provided for under the rules of the council or otherwise and shall fill all vacancies in committees of the council from that body. He/she shall sign all ordinances passed by the council within three days after their passage. He/she shall sign all instruments and writings authorized by this charter, the laws of the state or the council. In the absence of the mayor, such instruments shall be signed by the president pro tem of the council. All orders on the city treasurer shall be signed by two of the three following named city officers, being the mayor, the city manager and the city treasurer.

#### **Section 20. Manager.**

(a) **Qualifications.** The manager shall be the administrative head of the city government. He/she shall be chosen by the council without regard to political consideration and solely with reference to his/her executive and administrative qualifications.

Before entering upon his/her duties, the manager shall file with the mayor an official bond for faithful performance thereof, payable to the city in the sum of \$10,000, the premium of which shall be paid by the city. The bond shall be to the satisfaction of the council, and the approval of the mayor shall be endorsed thereon.

(b) Term. The manager shall be appointed for an indefinite term, but may be removed with a vote of four members of the council. Upon any vacancy occurring in the office of the manager subsequent to the first appointment hereunder, the council shall, at its next meeting, adopt a resolution of its intention to appoint a manager, and no such appointment shall be made until at least four weeks after adoption of the resolution. The council shall appoint a manager within a reasonable time after the adoption of the resolution of intention.

(c) Powers and duties. The powers and duties of the manager shall be:

(1) To see that all ordinances are enforced.

(2) To appoint all heads of departments and other city officers and employees, and remove them at pleasure, and to have general supervision and control over them, except as otherwise provided in this charter. All such appointments shall be made upon the basis of merit and fitness alone.

(3) To see that the provisions of all franchises, leases, contracts, permits and privileges granted by the city are fully observed, and to report to the council any violations thereof.

(4) To attend all meetings of the council unless excused therefrom by three councilors or by the mayor.

(5) To act as purchasing agent for all departments of the city. All purchases shall be made in accordance with the council approved city purchasing policy.

(6) To examine or cause to be examined, without notice, the official conduct of any officer, assistant, deputy, clerk or employee in any of the departments of city government, except councilors.

(7) To keep the council advised to the needs of the city.

(8) To prepare and submit to the budget committee the annual budget estimate and such reports as may be required by that body.

(9) To submit to the council an annual report of all departments of the city and such other reports as the council may require.

(10) To prepare or cause to be prepared plans and specification for work coming under his/her supervision which the council orders, and to provide such plans and specifications in sufficient number and in ample time to give full opportunity for all contractors who desire to bid thereon to do so.

(11) To have control, subject to such ordinances as may from time to time be adopted, for all public utilities owned or operated by the city.

(12) To have general supervision over all city property and its use by the public or city employees.

(13) To appoint such advisory boards as he/she may deem desirable to advise on, assist him/her in his/her work; but the members of such boards will receive no compensation as such board members.

(14) To perform such other duties as may be required by this charter or as the council may require of him/her.

(15) From time to time, in order to facilitate the prompt, economical and efficient dispatch of city business, to organize the work of the departments under his/her control, to assign assistants, deputies, and employees from any office or department of the city government to perform work or service in connection with any other office or department thereof, or to work in more than one said offices or departments thereof; provided, that no such change shall affect the powers or duties of any elective officer to the city.

(16) To serve as the city recorder and such to be clerk of the council, keep an accurate record of its proceedings in a book provided for that purpose, and countersign all instruments and writings by this charter or by the laws of the state or the city.

(d) Seats at Council Meetings. The manager and such other officers of the city as may be designated by vote of the council shall be entitled to seats with the council, but shall have no vote therein. The manager shall have the right to take part in the discussion of all matters coming before council.

(e) Manager Pro Tem. During the absence of the manager from the city, during his/her temporary disability to act as manager, or during the interim when the council is seeking a manager, the council shall appoint a manager pro tem who shall possess the powers and discharge the duties of the manager during such absence or disability only; provided, however that a manager pro tem shall

have no authority to appoint or remove any city officer or employee except with the approval of five members of the council. No manager pro tem shall hold his/her position for more than six months. No appointment of a manager pro tem shall be consecutively renewed.

In case of the absence of the manager or the manager pro tem from council meetings, the council shall appoint a clerk of the council pro tem.

(f) **Interference in Administration.** No member of the council shall in any manner, directly or indirectly, by suggestion or otherwise, attempt to influence or coerce the manager in the making of any appointment or removal, or the purchase of supplies, or attempt to exact any promise relative to any appointment from any candidate for manager, or discuss, directly or indirectly, with any such candidate, the matter of appointments to any city office or employment. Any violation of the foregoing provisions of this section shall work a forfeiture of the office of the offending member of council, may be removed therefrom by the council or by any court of competent jurisdiction; provided, however, that nothing herein contained shall be construed as prohibiting the council, while in open session, discussing with or suggesting to the manager, fully and freely, anything pertaining to city affairs and for the best interest of the city. Neither the manager nor any person in the employ of the city shall take any part in securing, or shall contribute any money toward, the nomination or election of any candidate for the municipal office.

(g) **Ineligible Persons.** No person related to the manager by consanguinity or affinity within the third degree shall hold any appointive office or employment with the city.

**Section 21. Municipal Judge.** The municipal judge shall be the judicial officer of the city. He/she shall hold within the city a court known as the municipal court for the City of Sweet Home, Linn County, Oregon. The court shall be open for the transaction of the judicial business at times specified by the council. All areas within the city shall be within the territorial jurisdiction of the court. The municipal judge shall exercise original and exclusive jurisdiction of all offenses defined or authorized by ordinances of the city. He/she shall have authority to issue process for the arrest of any person accused of an offense against the ordinance of the city, to commit any such person to jail or admit him/her to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trail of any cause before him/her, to compel obedience to such subpoenas, to issue any process necessary to carry into effect the judgments of the court, and to punish witnesses and others for contempt of court. When not governed by ordinances or this charter, all proceedings in the municipal court for the violation of the city ordinance shall be governed by the applicable general laws of the state governing justices of the peace and justice courts.

Notwithstanding this section of this charter, the council may provide for the transfer of power and duties of the municipal court to the appropriate state court of the State of Oregon.

**Section 22. Other Officers.** The council shall fix the powers and duties of all appointive offices other than those provided for in this charter.

## **CHAPTER VII ORDINANCES**

**Section 23. Enacting Clause.** The enacting clause of all ordinances hereafter passed shall be "The City of Sweet Home does ordain as follows."

**Section 24. Introduction, Reading and Passage.** Every ordinance shall be fully and distinctly read in open council meeting on one day and shall be read by title only on two different days previous to being put upon its final passage provided that the council may have the ordinance fully and distinctly read at any reading thereof; provided, however, that any ordinance may be introduced and read the first time at any meeting and may upon a unanimous vote of all the members of council present at the

meeting be read a second time by title only and placed upon its passage at the meeting held on a separate and successive day.

**Section 25. When Ordinances Take Effect and Publication Thereof.** Each ordinance passed by the council shall take effect on the thirtieth day after its passage; provided, that when the council deems it expedient or in case of emergency, an ordinance may provide a different time when it shall take effect, that it shall take effect immediately. All ordinances shall be posted for 10 days after passage in three or more conspicuous places in the city.

## **CHAPTER VIII PUBLIC IMPROVEMENTS**

**Section 26. Power of Condemnation and Purchase.** The city shall have power to acquire by purchase, gift, devise or condemnation any property either within or without its corporate boundaries for any municipal purpose, for the purpose of (a) protecting, preserving and facilitating an improvement or (b) bringing about such development of property along or in the vicinity of an improvement as will make such development harmonious with and adjusted to the improvement or (c) any combination of such purposes; to acquire by condemnation property in excess of that needed for the actual improvement and to sell or lease such excess property with building and use restrictions and conditions to make its development harmonious with and adjusted to adjacent public improvements. The necessity for the taking of any property by the City of Sweet Home shall be determined by the council and shall be declared by a resolution which shall describe such property as nearly as may be and stating the use to which it is to be devoted. The city shall have power to provide for the payment of all or any part of the cost of land or other property acquired for public use of the construction, reconstruction, repair, operation or maintenance of any structure or work in the nature of a public facility or improvement, including a public utility and of any other public work or service, by levying and collecting special assessments upon property specially benefited.

**Section 27. Special Assessment.** The method and procedure for determining the amount of the assessments, the spread and apportionment of the amount of the assessments, and the boundary and location of the property, lots, district or area to be assessed; for the making and approval of the plans and specifications; for the notices of property owners and other interested parties; for the hearings, for the composition, organization and procedure of boards of revision or appraisal; for the levy of the assessments; for the creation of a lien; and for any and all other determinations, steps, measures, resolutions, ordinances and actions in relation to the assessments shall be governed by either (a) the provisions of the special assessment statutes of the state or (b) the provisions of a general ordinance setting forth such method and procedure, which general ordinance may be enacted by council and shall be subject to amendment or repeal.

**Section 28. Improvements.** Street, sewer, sidewalk and such other improvements as may be deemed necessary by the council may be made on the motion of the council or on petition of a majority of the property owners interested. Remonstrance of two-thirds of the front footage of property owners concerned shall operate to defeat such motion of petition and the same may not again be considered by the council for a period of six months.

**Section 29. Savings Clause.** All ordinances, resolutions, policies, procedures, contracts and regulations heretofore passed by the city, in force when this charter takes effect, if not inconsistent with it, shall remain in full force after it takes effect and until they are amended or repealed by the council.

**Section 30. City to Retain Rights and Be Subject to Liabilities in Existence at Time This Charter Takes Effect.** No right vested in the city and no liability which it has incurred under this charter, prior charters, and any revisions and amendments thereof and laws of the state shall be impaired or discharged by adoption of this charter, except as this charter otherwise provides.

**Section 31. Limitations on Indebtedness.** City indebtedness may not exceed the debt limits imposed by state law. A charter amendment is not required to authorize city indebtedness.

**Section 32. Repealing Clause.** All charter provisions adopted before this charter takes effect are repealed.

**Section 33. Severability.** The terms of this charter are severable. If any provision is held invalid by a court, the invalidity does not affect any other part of the charter.

**Charter Amendments ~ For Charter Amendments go to for a full listing.**

[http://library.amlegal.com/nxt/gateway.dll/Oregon/sweethome\\_or/cityofsweethomeoregoncodeofordinances?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sweethome\\_or](http://library.amlegal.com/nxt/gateway.dll/Oregon/sweethome_or/cityofsweethomeoregoncodeofordinances?f=templates$fn=default.htm$3.0$vid=amlegal:sweethome_or)

## **SWEET HOME MUNICIPAL CODE (SHMC)**

### **CHAPTER 2.04 – CITY COUNCIL**

#### **§ 2.04.010 REGULAR MEETINGS.**

The City Council shall hold regular meetings on the second and fourth Tuesdays of each month, commencing at the hour of 6:30 p.m.; however, when the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday, the meeting shall be held at the same hour on the next succeeding day not a holiday.  
(Ord. 761, 1979; Ord. 340, 1958; Ord. 190, 1951)

#### **§ 2.04.020 SPECIAL MEETINGS.**

At special meetings of the Council, called in a manner provided by the Charter, no business shall be acted upon except that mentioned in the notice or call of the special meeting. (Ord. 190, 1951)

#### **§ 2.04.030 ORDER OF BUSINESS.**

In the conduct of business of the Council, the following procedure shall be substantially followed:

- A. Roll call;
- B. Consent agenda;
- C. Recognition of visitors and hearing of petitions;
- D. Old business;
- E. New business;
- F. Introduction, first and second reading of ordinance bills;
- G. Third reading of ordinance bills;
- H. Reports of committees;
- I. Reports of city officials; and
- J. Adjournment.

(Ord. 884, 1983; Ord. 190, 1951)

#### **§ 2.04.040 PRESIDING OFFICER.**

The presiding officer shall preserve order and decorum. He or she may speak on all questions of order in preference to any other member and he or she shall decide on all questions of order, subject to an appeal to the Council. In cases of appeal from the decision of the Chairperson, the appeal shall be stated as follows: "Shall the decision of the Chairperson stand as the decision of the Council?"

(Ord. 190, 1951)

#### **§ 2.04.050 MANNER OF VOTING.**

All questions shall be voted on by affirmation except those involving the expenditure of money and third reading of ordinance bills, in which case a roll call shall be had. If the presiding officer doubts or a decision is called for, a roll call shall be had.

(Ord. 1036, 1991; Ord. 190, 1951)



#### **§ 2.04.060 RESOLUTIONS.**

All resolutions shall be in writing and numbered consecutively in the order in which they are introduced in each calendar year.  
(Ord. 190, 1951)

#### **§ 2.04.070 ORDINANCE BILLS.**

A. Proposed ordinances shall be known as “ordinance bills”. They shall be numbered consecutively and filed by the City Manager in the order in which they are introduced.

B. All bills and resolutions may be introduced by any member of the Council or any committee. If objection be made to the introduction of an ordinance bill or resolution, it shall lay over until the next meeting except when the bill is reported by a committee or unless otherwise directed by the Council.

(Ord. 190, 1951)

#### **§ 2.04.080 SIGNING AND DATING OF RESOLUTIONS AND ORDINANCES.**

All ordinances and resolutions shall be signed by the Mayor and City Manager and shall have therein the date of their passage by the Council and the date of approval by the Mayor.

(Ord. 190, 1951)

#### **§ 2.04.090 DEBATE AND WITHDRAWAL OF MOTIONS.**

No motion shall be debated until it has been seconded and distinctly announced by the presiding officer and shall have been reduced to writing if so desired by any member. It shall be read by the City Manager when required by members for information. A motion may be withdrawn at any time before amendment.

(Ord. 190, 1951)

#### **§ 2.04.100 PROCEDURE.**

In all cases not specifically provided for herein or in the Charter, the Council shall be governed by the law and precedents laid down in the then current edition of *Robert's Rules of Order*.

(Ord. 1240, § 2, 2015; Ord. 190, 1951)

#### **§ 2.04.110 ELECTIONS OFFICER.**

The City Manager is the ex-officio City Recorder and is also the Chief Elections Officer of the city.

(Ord. 949, 1986)

#### **§ 2.04.120 NOMINATIONS.**

Only a qualified elector under state law who has resided in the city at least one year immediately before the election may be nominated for the Council by one of the following methods.

A. A petition to make such a nomination shall be signed by not less than ten, nor more than 20, electors. No elector shall sign more than one such petition and, should an elector do so, his or her signature shall be void as to the petition or petitions last filed. The petitions shall be filed not

earlier than 100 days, nor later than 64 days, before the election date. Each candidate shall have the signatures of the electors on his or her petition verified by the County Elections Officer, prior to filing the petition with the City Elections Officer.

B. A declaration of candidacy shall be signed and a fee of \$10 shall be paid to the city at the time of filing. The declaration of candidacy shall be filed not earlier than 100 days, nor later than 64 days, before the election date.

C. A write-in vote at the time of the election as allowed by state law.  
(Ord. 1240, §§ 3, 4, 2015; Ord. 1050, 1992; Ord. 949, 1986)

#### **§ 2.04.130 QUALIFICATION FOR COUNCIL MEMBER.**

Only a qualified elector under state law who has resided in the city at least one year immediately before an appointment to Council may be a Council member.  
(Ord. 1240, § 5, 2015)

## **FORMS & INFORMATION**

### ***FOR NONPARTISAN OFFICE ~ SWEET HOME CITY COUNCIL***

- **City of Sweet Home Council Oath**
- **City of Sweet Home Council Code of Conduct – Res. No. 27 for 1998**

**STATE OF OREGON ELECTION FORMS ARE PROVIDED IN A SEPARATE ELECTRONIC DOCUMENT OR CAN BE FOUND AT:**

<http://sos.oregon.gov/elections/Pages/laws-rules-publications.aspx>

- **Pages from 2018 Candidates Manual for Completing forms**
- **“Quick Guide” on Campaign Finance Reporting in Oregon.**
- **State of Oregon Filing Forms**
  - **SEL 101 Candidate Filing – Major Political Party or Non partisan**
  - **SEL 121 Candidate Signature Sheet – Nonpartisan**
  - **SEL 220, 223, and PC7 (file electronically with Secretary of State)**

## COUNCIL OATH

This document is signed by City Councilors upon taking their oath to office.

**CITY OF SWEET HOME  
LINN COUNTY, OREGON**

I, \_\_\_\_\_, do solemnly swear that I will support the Constitution of the United States, and of the State of Oregon, the Ordinances of the City of Sweet Home, and the Council Code of Conduct and, to the best of my ability, I will faithfully discharge the duties of Councilor of said City during the period for which I was elected.

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Signature

Subscribed and sworn to before me this \_\_\_\_day of January 20\_\_.

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City Recorder of Sweet Home, Oregon

**COUNCIL CODE OF CONDUCT**  
**RESOLUTION NO. 27 FOR 1998**

*Approved November 10, 1998*

BE IT RESOLVED that Councilors shall conduct themselves so as to bring credit upon the City as a whole, and to set an example of good ethical conduct for all citizens of the community. Councilors should constantly bear in mind their responsibilities to the entire electorate, and refrain from actions benefiting any individual or special interest group at the expense of the City as a whole. Councilors should likewise do everything in their power to ensure impartial application of the law to all citizens, and equal treatment of each citizen before the law, without regard to race, national origin, sex, social station or economic position.

BE IT FURTHER RESOLVED that Councilors shall preserve order and decorum during Council meetings, and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these rules. Councilors shall, when addressing staff or members of the public, confine themselves to questions or issues then under discussion, shall not engage in personal attacks, shall not impugn the motives of any speaker, and shall at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of their office.

BE IT FURTHER RESOLVED THAT every Councilor desiring to speak shall first address their chair, and await recognition to obtain the floor. No persons other than members of the Council and the person having the floor shall enter into any discussion, either directly or through a member of the Council without the permission of the Presiding Officer.

BE IT FURTHER RESOLVED THAT DURING DEBATE

1. Any Councilor who has the floor shall confine himself or herself to the question under debate, avoid personalities and refrain from impugning the motives of any other member argument or vote. No member shall address the chair or demand the floor while any vote is being taken.

2. Councilors shall limit their remarks on a subject to five minutes unless granted additional time by the majority of the Council. No Councilors shall be allowed to speak more than once upon any one subject, until every other member choosing to speak thereon has spoken.

3. A Councilor once recognized shall not be interrupted while speaking, unless called to order by the Presiding Officer, or unless a point of order is raised by any Councilor while he or she is speaking, in which case he or she shall cease speaking immediately until the point is determined. If ruled to be in order, he or she shall be permitted to proceed; if ruled to be out of order, he or she shall remain silent or shall alter his or her remarks as to comply with the ruling.

BE IT BE FURTHER RESOLVED THAT DURING MEETINGS citizens desiring to address the Council shall first be recognized by the chair and shall limit remarks to the question then under discussion. All remarks and questions shall be addressed to the Council as a whole and not to any individual Councilor thereof. Any remarks and questions regarding the administration of the City shall be referred to the City Manager by the Presiding Officer.